



#12RCE RCE \$  
4-3-01 EP 3626  
PTO/SB/30 (5/2000)  
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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995,  
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/133,856
Filing Date	August 13, 1998
First Named Inventor	Johnson
Group Art Unit	3626
Examiner Name	James R. Brittain
Attorney Docket Number	769-226 Div. 11

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changed to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

1. **Submission required under 37 C.F.R. § 1.114.**

a. ☒ **Previously submitted**

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on March 2, 2001  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed

iii. ☐ Other \_\_\_\_\_

b. ☒ **Enclosed**

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other one month extension request

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
Deposit Account No. 50-1145

i. ☐ RCE fee required under 37 C.F.R. § 1.17(e) 03/29/2001 RHARIS1 00000119 09133856

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 1 FC:179

iii. ☒ Other any additional fees required

710.00 OP

b. ☒ Check in the amount of \$ 820 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Gerald Levy

Registration No. (Attorney / Agent)

24,419

Signature

Date

March 27, 2001

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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Gerald Levy

Signature

Date

March 27, 2001

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